

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

CEMENT MASONS' PENSION TRUST FUND -
DETROIT & VICINITY; et al.,

Plaintiffs,

CASE NO. 2:07-CV-10084

v.

HON. GEORGE CARAM STEEH

GREER CONSTRUCTION, INC.,
GREER SERVICES CORP. d/b/a
GREER CONCRETE CONSTRUCTION,
and THOMAS C. GREER,

Defendants.

SACHS WALDMAN, P.C.
GEORGE H. KRUSZEWSKI (P25857)
HOPE L. CALATI (P54426)
Attorneys for Plaintiffs
1000 Farmer Street
Detroit, Michigan 48226
(313) 965-3464 telephone
(313) 965-0268 facsimile

ORDER ADMINISTRATIVELY STAYING CASE AS TO THOMAS C. GREER ONLY

The court has been informed that a petition in Bankruptcy has been filed by defendant Thomas C. Greer. In accordance with 11 U.S.C. § 362, this civil action is automatically stayed as to the debtor, Thomas C. Greer, until the Bankruptcy proceedings in question are terminated or the stay is lifted. 11 U.S.C. §362(c).

The automatic stay provision of the Bankruptcy Reform Act of 1978, 11 U.S.C. § 101, *et seq.*, halts the commencement or continuation of litigation against the debtor by adverse parties; it

does not divest this Court of jurisdiction to issue necessary orders in civil actions which are stayed in Bankruptcy. *See Connell v. Walker*, 291 U.S. 1, 54 S.Ct. 257 (1934); *Donald F. Duncan Inc. v. Royal Tops Mfg. Co.*, 381 F.2d 879 (7th Cir. 1967), *cert. denied*, 390 U.S. 905, 88 S.Ct. 819 (1968).

Accordingly, in the interest of the effective administration of the Court's business, without prejudice to any other party to this action, and in keeping with the intent and spirit of the automatic stay provision of the Bankruptcy Reform Act, 11 U.S.C. § 362, this matter is hereby administratively STAYED with regard to defendant THOMAS C. GREER, only. This stay is for administrative purposes only. Upon termination of the aforementioned bankruptcy proceedings, or the lifting of the automatic stay with reference to the instant proceeding, leave is hereby granted to allow either party to move to reopen this action. Any such motion need only refer to this order and it will be granted.

This Order shall have no effect on this litigation with regard to defendants GREER CONSTRUCTION, INC., and GREER SERVICES CORP. d/b/a GREER CONCRETE CONSTRUCTION.

Dated: May 22, 2007

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 22, 2007, by electronic and/or ordinary mail.

S/Marcia Beauchemin
Deputy Clerk